

## MANSFIELD TOWNSHIP COMMITTEE MEETING

April 10, 2019

This is a regular meeting of the Mansfield Township Committee. The notice requirements of the law have been satisfied for this meeting by notice to the Star Gazette and Express Times of the time, date and location thereof. Notice was also posted on the announcement board located in the Municipal Building.

Roll Call: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mayor Watters

Salute to the flag was done by all.

### APPROVAL OF THE MINUTES:

Mr. Hayes made a motion to approve the minutes from the regular meeting held on March 27, 2019, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mayor Watters

Nays: None

Absent: Mr. Misertino

Abstain: None

### BILL LIST:

Mr. Hayes made a motion to approve the bill list, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Hayes, Mrs. Mora Dillon, Mayor Watters

Nays: None

Absent: Mr. Misertino

Abstain: Mr. Farino

### CLERK'S REPORT:

Ms. Hrebenak stated that the Committee members were given a copy of a grant application from the Environmental Commission for the ANJEC grant of \$1,400 and there is a request for the Township Committee to pass a resolution to approve the application to ANJEC for the bee project.

Mrs. Mora Dillon asked why was this information given to the Committee so late and she stated that she would have liked to review the application prior to approval of the Resolution.

Ms. Hrebenak stated that Mr. Tarlowe, Chairperson for the Environmental Commission is present at the meeting to possibly explain the grant.

Mr. Tarlowe explained the grant and the impending deadline of Monday, April 15, 2019. The grant would fund materials for solitary bee huts that can be placed in various areas of the township which could be used as an educational program. There would be no cost to the Township. They are leaf-cutter bees and Mayor Watters was concerned how they would impact agriculture. He would like to know Rutgers' recommendation of this program. Mr. Tarlowe stated he would email everyone on the committee tonight regarding Rutgers' recommendation. Mrs. Mora Dillon wanted the answer by Friday morning so

the committee could cast an informed vote.

Mr. Hayes made a motion to approve the passage of Resolution 2019-76 as long as none of the Committee members have any issues with the application, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mayor Watters

Nays: None

Absent: Mr. Misertino

Abstain: None

Ms. Hrebenak reported that the bat remediation has begun on Mt. Bethel Church. She will let the committee know when the contractor will begin again.

#### FINANCE REPORT:

Mrs. Mollineaux stated that there are a number of items on the agenda tonight and that she had sent the paperwork out to the Township Committee in an email last week.

Mrs. Mollineaux went through the paperwork on the agenda and explained the items that were on the agenda.

#### EMPLOYEES' REPORTS:

Mrs. Fascenelli stated that the Township Committee should have received a copy of a memo in reference to the Trex benches that were brought to her attention by the Township Clerk and Mrs. Kinney. Collection of 500 lbs of plastic bags in 6 months can garner a new Trex bench. Mrs. Fascenelli will contact Weis Market to see if they are willing to partner with us to get the plastic to them. For every 500 lbs. we would be able to get one free bench. It would be of no cost to the Township.

Mr. Snyder stated that the generator should be set next week at the DPW building.

#### ENGINEER'S REPORT:

Mr. Kastrud went through his report with the Township Committee. The tax maps will be done prior to the next meeting.

Mr. Kastrud and Ms. Hrebenak have had contact with DOT representatives regarding two grants for Watters Road and Heiser Road.

Mr. Kastrud also reported an inventory of all the sidewalk ramps and the reconstruction of Airport Road.

Mayor Watters asked how much of the percentage of the job with the Municipal Aid grant cover. Mr. Kastrud stated it would be half. Application for discretionary funds is possible for emergency, but not economic emergency as a request for funds.

Mr. Kastrud and Ms. Hrebenak are working on the Stormwater Report. Ms. Hrebenak found files from 2016 with the old maps. Paper copies of those will be filed with the state.

Mayor Watters asked Mr. Kastrud if we will be receiving the money for the Heiser and Watters Road project soon. Mr. Kastrud responded yes, the first 75% will be sent to us, once the paperwork is accepted for contract award.

PUBLIC PORTION:

Mayor Watters opened the floor for public comment; seeing none the public portion was closed.

RESOLUTION:

**RESOLUTION 2019-68**

**RESOLUTION RECOGNIZING APRIL 2019 AS  
WARREN COUNTY COMMUNITY COLLEGE MONTH**

**WHEREAS**, the more than thirteen hundred community and technical colleges, public and private, in the United States have contributed enormously to the richness and accessibility of American higher education, nearly half of all undergraduate college students in the Nation today are enrolled in community colleges; and

**WHEREAS**, by providing educational opportunities at costs and locations accessible to all who are qualified, community and technical colleges have greatly enhanced the opportunity for every ambitious student, young or old, to enter a postsecondary school program. As community-based institutions, our schools provide varied programs and offer specialized training for more than one thousand occupations; and

**WHEREAS**, this community is served well by Warren County Community College, and as Warren County Community College has been recognized by Middle States for its exceptional report and process during the March 2018 Self-Study; and

**WHEREAS**, Warren County Community College because of its successful reform agenda, by implementing meaningful educational change, it has reached a 45% graduation rate, highest in New Jersey as well as record retention rates, while simultaneously continuing to reduce remediation; and

**WHEREAS**, Warren County Community College was the only community college deemed uniquely qualified in Northwest New Jersey, to provide free tuition to all households earning under \$45,000 per year, Through the Governor's Community College Opportunity Grants (CCOG); and

**WHEREAS**, in Spring 2019, Warren County Community College is the only college in the Northeastern United States to implement Cengage Unlimited where all online learning materials are at a flat rate of \$140 annually; and, the option to receive each print book at a flat rate of \$7.99. This is estimated to save students at least \$1,200 annually in book expenses; and

**WHEREAS**, in 2017-2018, a robust dual enrollment program with all six Warren County high schools participating, 1,947 high school students (equivalent to 51% of the entire Warren County public high school population) successfully completed at least one dual enrollment course, saving the Warren County taxpayers an equivalent of \$1.8 million in tuition and fee expenses; and

**WHEREAS**, Warren County Community College is a leader in public service relationships. It currently administers Continuing Education programs, at our Phillipsburg satellite location, with a strong history of collaborating with our county human services offices, even facilitating and authoring a strategic plan for all countywide human services, and

**WHEREAS**, Warren County Community College trustees and staff serve the global higher education community on statewide, national, and international boards including, but not limited to: NJCCC Trustee State Chair, AACC Board of Directors, AACC structured pathways Commission Chair, the AAUA Board of Directors, the Chair Academy International Advisory Board, and the Middle States Commission on Higher Education Board; and

**WHEREAS**, in recognition of the important contribution of community and technical colleges to our total educational system, in 1985 the Congress authorized and requested then President Ronald Reagan to issue Proclamation 5418 establishing a National Community College Month.

**NOW, THEREFORE**, be it resolved that, the Mansfield Township Mayor and Committee recognize April 2019 as **Warren County Community College Month**.

**RESOLUTION # 2019-69  
LIEN REDEMPTIONS  
TOWNSHIP OF MANSFIELD  
WARREN COUNTY, STATE OF NEW JERSEY**

**WHEREAS**, the Tax Collector of the Township of Mansfield has advised the Township Committee that the following properties have been redeemed and the money due thereon paid to the Township of Mansfield Tax Collector;

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Mansfield this 10<sup>th</sup> day of April, 2019, that payment is to be made to the certificate holder as noted:

BLOCK	LOT	ADDRESS	LIENHOLDER	CERT #	TOTAL REFUNDED
1102.20 C027E	5	173 Cynthia Drive Hackettstown, NJ	US CUST BANK FOR PC7 50 S 16 <sup>th</sup> St./STE 2050 Philadelphia, PA 19102	18-00096	\$ 1,454.56 Lien
2701	3	Washington Blvd West Port Murray, NJ	The Kirk Investments, LLC 81 Jackson Street Port Murray, NJ 07865	2008-010	\$ 1,406.03 Lien
2701	4	Oak Street Port Murray, NJ	The Kirk Investments, LLC 81 Jackson Street Port Murray, NJ 07865	2008-011	\$ 948.75 Lien
1001.02	41	480 Mt. Bethel Road	US BANK CUST FOR	18-00094	\$ 11,943.07 Lien

		Oxford, NJ	TOWER DB VIII TRST 50 S 16 <sup>TH</sup> St/STE 2050 Philadelphia, PA 19102		\$ 2,800.00 Premium
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**RESOLUTION NO. 2019-70  
OF THE TOWNSHIP COMMITTEE OF  
THE TOWNSHIP OF MANSFIELD**

***A RESOLUTION OF THE TOWNSHIP OF MANSFIELD, IN THE COUNTY  
OF WARREN AND STATE OF NEW JERSEY, AUTHORIZING THE  
PURCHASE OF E-TICKET EQUIPMENT AND INSTALLATION***

**WHEREAS**, the Township of Mansfield Police Department is in need of E-Ticketing equipment; and

**WHEREAS**, the equipment must be compatible with the Administrative Office of the Courts software; and

**WHEREAS**, the purchase of goods and services for proprietary software, without advertising for bids, by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-5; and

**WHEREAS**, CSI Technology Group of Keasbey, New Jersey is the vendor of record for this software; and

**WHEREAS**, the Police Chief for the Township of Mansfield recommends the utilization of this contract on the grounds that it is the best means available to obtain the E-Ticket Equipment and Installation; and

**WHEREAS**, the contract to CSI Technology Group shall not exceed the amount of \$13,500.00; and

**WHEREAS**, the Chief Financial Officer has certified the availability of funds from the

Capital Reserves pending budget adoption; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Mansfield, in the County of Warren and State of New Jersey, as follows:

1. The Township of Mansfield hereby authorizes the purchase of E-Ticket equipment and installation from CSI Technology Group, 330 Mac Lane, Keasbey, NJ 08832.
2. The total fee authorized for this contract shall not exceed \$13,500.00 without the prior written approval of the Township Committee.
3. The Mayor, Township Clerk and/or such other officials as is necessary and proper are hereby authorized to execute documents necessary to implement this Resolution.
4. A copy of this resolution shall be provided to the Township Chief Financial Officer and CSI Technology Group for their information and guidance.

This Resolution shall take effect immediately.

**RESOLUTION #2019-71**  
**TOWNSHIP OF MANSFIELD**  
**EMERGENCY RESOLUTION**  
**N.J.S.A.40A:4-20 (TEMPORARY APPROPRIATIONS)**

WHEREAS, pursuant to N.J.S.A. 40a:4-19 the Township Committee of the Township of Mansfield adopted Resolutions to provide temporary funds for the period from January 1, 2019 until the adoption of the Operating Budget for the Township of Mansfield, New Jersey; and

WHEREAS, additional appropriations will be required from April 10, 2019 until the adoption of the budget; and

WHEREAS, N.J.S.A. 40A:4-20 provides that the governing body by two-thirds vote may make temporary emergency appropriations for any purpose for which appropriations may lawfully be made for the period between the beginning of the current fiscal year and the date of the adoption of the budget for said year;

**NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF MANSFIELD, NEW JERSEY, that:**

1. The governing body by a two-thirds vote of its full membership hereby amends its temporary budget by making the following emergency temporary appropriations:

CURRENT FUND	\$800,000.00
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2. This action shall take effect April 10, 2019.
3. A copy of this resolution shall be immediately filed with the Director of Local Government Services by the Township Clerk of the Township of Mansfield.

**RESOLUTION NO. 2019-72  
OF THE TOWNSHIP COMMITTEE OF  
THE TOWNSHIP OF MANSFIELD**

***Resolution of the Township of Mansfield, County of Warren and State of New Jersey, Authorizing the Award of a Non-Fair and Open Professional Service Contract for the Position of Legal Counsel to perform In Rem Foreclosure Procedures to Goldenberg, Mackler, Sayegh, Mintz, Pfeffer, Bonchi, Gill***

**WHEREAS**, the Township of Mansfield has a need to appoint an Attorney as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or Section 2.13.1 of the Township Code as appropriate; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et. seq) requires that the Resolution authorizing the award of contracts for Professional Services without competitive bids and the contract itself must be awarded for public inspection; and

**WHEREAS**, The Attorney shall be appointed and shall hold the position for the duration of the contract to complete the In Rem Foreclosures per the list provided by the Township Tax Collector; and

**WHEREAS**, the term of this appointment and contract for this service is no more than one year from the date authorizing the contract; and

**WHEREAS**, Keith A. Bonchi of GMS Law Attorneys will provide In Rem Foreclosure procedures as per proposal dated March 8, 2019 on file in the Township Clerk's Office; and

**WHEREAS**, Goldenberg, Mackler, Sayegh, Mintz, Pfeffer, Bonchi, Gill has completed and submitted a Business Entity Disclosure Certification which certifies that the firm has not made any reportable contributions to a political or candidate committee in the Township of Mansfield with the elected officials in the previous one year, and that the contract will prohibit Goldenberg, Mackler, Sayegh, Mintz, Pfeffer, Bonchi, Gill from making any reportable contributions through the term of the contract; and

**NOW, THEREFORE, BE IT RESOLVED** that the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey authorizes the Mayor to enter into a contract with Goldenberg, Mackler,

Sayegh, Mintz, Pfeffer, Bonchi, Gill as described herein to the satisfaction of the Township Committee; and

**BE IT FURTHER RESOLVED**, that the contract, resolution and other pertinent documents shall remain on file in the office of the Township Clerk; and

**BE IT FURTHER RESOLVED** that a notice of this action shall be printed once in the Township's legal newspaper.

**RESOLUTION NO. 2019-73  
OF THE TOWNSHIP COMMITTEE OF  
THE TOWNSHIP OF MANSFIELD**

***A RESOLUTION OF THE TOWNSHIP OF MANSFIELD, IN THE COUNTY OF WARREN AND STATE OF NEW JERSEY, AUTHORIZING THE PURCHASE OF AN IDEMIA LIVESCAN SYSTEM UNDER STATE CONTRACT NO. T3083***

**WHEREAS**, the Township of Mansfield Police Department has been notified that the current fingerprinting software is no longer supported by the existing company; and

**WHEREAS**, the Township of Mansfield Police Department therefore is in need of a new fingerprinting software system; and

**WHEREAS**, the purchase of goods and services, without advertising for bids, by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-12; and

**WHEREAS**, IDEMIA of Anaheim California has been awarded New Jersey State Contract No. T3083 for fingerprint software; and

**WHEREAS**, the Police Chief for the Township of Mansfield recommends the utilization of this contract on the grounds that it is the best means available to obtain the fingerprinting software; and

**WHEREAS**, the contract to IDEMIA shall not exceed the amount of \$26,000.00; and

**WHEREAS**, the Chief Financial Officer has certified the availability of funds from the Capital Reserves pending budget adoption; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Mansfield, in the County of Warren and State of New Jersey, as follows:

1. The Township of Mansfield hereby authorizes the purchase of fingerprinting software from IDEMIA, 515 E La Palma Avenue, Anaheim, CA 92807 under New Jersey State Contract No. T3083.
2. The total fee authorized for this contract shall not exceed \$26,000.00 without the prior written approval of the Township Committee.
3. The Mayor, Township Clerk and/or such other officials as is necessary and proper are hereby authorized to execute documents necessary to implement this Resolution.
4. A copy of this resolution shall be provided to the Township Chief Financial Officer and IDEMIA. for their information and guidance.

This Resolution shall take effect immediately.

**TOWNSHIP OF MANSFIELD  
RESOLUTION # 2019-74  
APRIL 10, 2019**

**“Use a Three-Year Average Collection Rate for the 2019 Budget Reserve for Uncollected Taxes)”**

**WHEREAS**, according to NJSA 40A:4-40 et seq., a municipality may utilize a three-year average tax collection rate to calculate a line item appropriation known as Reserve for Uncollected Taxes; and

**WHEREAS**, prior Township of Mansfield tax collection rates for the calendar years 2018, 2017, and 2016 are 96.08%, 96.84%, and 97.22% respectively; and

**WHEREAS**, the average of these aforementioned collection rates is 96.71.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Committee of the Township of Mansfield hereby requests that it utilize a tax collection rate of 96.71% when calculating the line item appropriation Reserve for Uncollected Taxes in its calendar year 2019 Municipal Budget.

Mr. Hayes motioned to approve Resolutions 68 – 74, which Mrs. Mora Dillion seconded.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mayor Watters  
Nays: None  
Absent: Mr. Misertino  
Abstain: None

INTRODUCTION ORDINANCE:

**CALENDAR YEAR 2019  
MODEL ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH  
A CAP BANK  
(N.J.S.A. 40A: 4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Township Committee of the Mansfield Township in the County of Warren finds it advisable and necessary to increase its CY 2019 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Township Committee hereby determines that a 3.5 % increase in the budget for said year, amounting to \$ 48,252.07 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Township Committee of the Mansfield Township, in the County of Warren, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2019 budget year, the final appropriations of the Township of Mansfield shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$168,882.25, and that the CY 2019 municipal budget for the Township of Mansfield be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Mr. Hayes made a motion to approve the introduction of Ordinance 2019-03 and requested that the public hearing be advertised to be held on May 8, 2019, at 7:30 pm., which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mayor Watters  
Nays: None  
Absent: Mr. Misertino  
Abstain: None

INTRODUCTION OF 2019 BUDGET                      RESOLUTION 2019-75

Mr. Hayes made a motion to approve the introduction of Resolution 2019-75 and requested that the public hearing be advertised to be held on May 8, 2019, at 7:30 pm, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mayor Watters  
Nays: None  
Absent: Mr. Misertino  
Abstain: None

SECOND READING ORDINANCE:

**2019-01**

**AN ORDINANCE OF THE TOWNSHIP OF MANSFIELD,  
COUNTY OF WARREN, AND STATE OF NEW JERSEY,  
SUPPLEMENTING CHAPTER 38 OF THE TOWNSHIP CODE  
TO REQUIRE A CERTIFICATE OF SMOKE DETECTORS AND  
CARBON MONOXIDE ALARMS COMPLIANCE FOR ALL  
SINGLE-FAMILY, TWO-FAMILY, AND MULTI-FAMILY  
DWELLINGS AT EVERY CHANGE OF OCCUPANCY**

**BE IT ORDAINED** by the Township Committee of the Township of Mansfield, County of Warren, and State of New Jersey, as follows:

**SECTION 1.** Chapter 38, is hereby supplemented to establish new 38-3, Certificate of Smoke Detector and Carbon Monoxide Alarm Compliance, to read as follows:

38-3 Certificate of smoke detector and carbon monoxide alarm compliance.

- A. Before any existing single-family, two-family or multi-family dwelling, on or after the effective date of this Ordinance, is sold, leased, or otherwise made subject to change of occupancy for residential purposes, the dwelling owner shall obtain a certificate of smoke

detector and carbon monoxide alarm compliance. No dwelling unit shall change occupancy until one or more smoke detectors (or other approved fire alarm system) are installed for each dwelling unit subject to changing of occupancy in accordance with all the requirement of the New Jersey Uniform Construction Code and the Uniform Fire Code.

- B. Any dwelling owner who fails to comply with the provisions of paragraph A. of this Section shall be liable to a penalty of \$250.00 for each violation.

**SECTION 2.** All ordinances of the Township of Mansfield that are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 3.** This Ordinance may be renumbered for codification purposes.

**SECTION 4.** If any section, subsection, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

**SECTION 5.** This Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

Mr. Hayes made a motion to approve the passage of Ordinance 2019-01 and requested that the results be advertised, which was seconded by Mrs. Mora Dillon.

Ms. Hrebenak stated that current fire inspections are done on resale of property. Washington Township and our fire companies requested this ordinance be passed because many rental places are not updating their smoke detector and that's where a lot of fires are. So that each time there is a changeover of tenants a smoke detector inspection is required for safety, and everything is up to code.

Mayor Watters opened the floor for public comment; seeing none the public comment portion was closed.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mayor Watters

Nays: None

Absent: Mr. Misertino

Abstain: None

EXECUTIVE SESSION: Contractual

Mr. Hayes made a motion to enter into Executive Session at 8:07 pm, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mayor Watters

Nays: None

Absent: Mr. Misertino

Abstain: None

Return from Executive Session at 9:01.

COMMITTEE PERSON COMMENTS:

Mrs. Mora Dillon made a motion to adjourn at 9:01, which was seconded by Mr. Hayes.